	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	3/Health & Safety
	<b>Section No./Name</b>	3-05/Post-Accident Drug Testing
	<b>Document No./Name</b>	3-05/Post-Accident Drug Testing
	<b>Effective Date</b>	04/08/16

## I. STATEMENT OF POLICY

It is the policy of the Department of Children and Family Services to establish and administer a DCFS Post-Accident policy that will provide a safe office and working environment for all employees and clients. The employees of the state of Louisiana are among the state's most valuable resources, and the physical and mental well-being of these employees is necessary to properly carry out their responsibilities. Injuries that are incurred due to employees being under the influence of any illegal drugs or alcohol, mood altering prescription or over the counter medication are strictly prohibited and must be documented.

This policy and plan applies to all Bureaus/Divisions/Programs/Sections of the DCFS and boards, commissions and other assemblages administered by the DCFS. It will serve as a guide for employees, supervisors, and safety coordinators in implementing a required post-accident policy for all accidents.

## II. PROCEDURES

### Drug Testing

All employees who are entitled to assert a claim pursuant to the workers' compensation laws of Louisiana shall be subject to, and shall cooperate in, post-accident drug testing. With or without prior notification, any employee in an accident that occurs during the course and scope of the employment shall be required to submit to drug and/or alcohol testing as soon as practicable under LA R.S. 23:1081, whether or not a compensable injury is immediately claimed by the employee, where an accident occurs under any circumstance, regardless of fault, which necessitates, or should reasonably necessitate, medical attention to the employee as determined by the employee, the employee's supervisor(s), or the department head, regardless of whether the employee actually desires, agrees to, seeks, or receives medical attention.


### Drug and Alcohol Testing Procedures

Testing shall be performed at the most practical hospital or medical facility. DCFS reserves the right to require employees to submit additional testing, if warranted.

A representative of the agency shall transport the employee being tested to and from the testing site. Under no circumstance should any employee who is believed to be impaired or under the influence of any drug or alcohol be permitted to operate a motor vehicle.

### Responsibilities

- A. The DCFS Secretary is responsible for making every possible effort to ensure a safe environment for the employees and clients of the DCFS.

	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	3/Health & Safety
	<b>Section No./Name</b>	3-05/Post-Accident Drug Testing
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	<b>Effective Date</b>	04/08/16

B. The DCFS Safety Officer is responsible for:

- Acting as Department-wide safety control officer.
- Maintaining a list of safety coordinators who have responsibilities in the Safety Plan.
- Reviewing the policy annually.

C. Safety Coordinators are responsible for:

- Ensuring employees involved in accidents are drug tested.
- Maintaining accident records and conducting accident investigations.
- Reporting all testing refusals to Safety Officer
- Providing third party insurance company with testing information.

D. Supervisors are responsible for:

- Assuring employees involved in accidents are sent for drug testing.
- Completing all necessary forms if employee is unable.
- Remaining updated on employee's claim with Safety Coordinator/Safety Officer


E. Employees are responsible for the following:

- Informing supervisor of all accidents.
- Complying with established post-accident policy. All employees must submit to drug and/or alcohol testing per R.S. 23:1081.

## Violations

Employees found to test positive or failing to promptly submit to testing under this policy may be subject to dismissal or denial of their Workers' Compensation benefits pursuant to LA R.S. 23:1081.

Employees and supervisors may also be subject to discipline, up to and including dismissal, in accordance with their agency's drug-free policy for failing to cooperate with, or to apply, the post-accident drug testing requirements outlined in this policy.

	<b>Agency Name</b>	Department of Social Services (DSS)
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	<b>Section No./Name</b>	3-05/Post-Accident Drug Testing
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	<b>Effective Date</b>	04/08/16

### III. FORMS AND INSTRUCTIONS

[Drug Testing Vendors List](#)

[Chain of Custody Form Instructions](#)

### IV. REFERENCES

[Executive Order No. BJ 08-09 – Authority](#)